

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DIANE MICELI,

Plaintiff,

-against-

DAVID J. GOLD, P.C.,

in his capacity as an attorney for the judgment
creditor, Lincoln Financial Services, Inc., and Ashwood
Financial Services, Inc.

LINCOLN FINANCIAL SERVICES, INC.,
and ASHWOOD FINANCIAL SERVICES, INC.,

Defendants.

x

Civil Action No.
08 CV 2794 (RJS)

Plaintiff's Answer to Defendants'
Amended Counterclaims Against the
Plaintiff

x

PLEASE TAKE NOTICE, that Plaintiff hereby interposes the following answer to the Defendants' June 26, 2008 Amended Answer with counterclaims:

1. Plaintiff denies the allegations in paragraph 149.
2. Plaintiff lacks information sufficient to form a belief as to the allegations in paragraphs 150, 151, and 152.
3. The court lacks jurisdiction to entertain Defendant's first counterclaim against Plaintiff Miceli.
4. Defendants' first counterclaim against Plaintiff Miceli fails to state a cause of action upon which relief may be granted.
5. Defendants' first counterclaim against Plaintiff Miceli is frivolous and is designed to harass the plaintiff and to delay resolution of the matter.
6. Defendants' second counterclaim against Plaintiff Miceli fails to state a cause of action upon which relief may be granted.

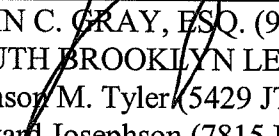
7. The court lacks jurisdiction to entertain Defendant's second counterclaim against Plaintiff Miceli.

8. Defendants' second counterclaim against Plaintiff Miceli is frivolous and is designed to harass the plaintiff and to delay resolution of the matter.

WHEREFORE, Plaintiff respectfully requests that this Court issue an Order:

1. Dismissing the counterclaims with prejudice;
2. Awarding Plaintiff reasonable costs and disbursements; and
3. Granting such other and further relief as this court may deem just and proper.

Dated: July 10, 2008



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by ECF only